

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
MAY 6, 2014**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on May 6, 2014, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Dennis Drake, Commissioner Alan Gardner, Administrator Dean J. Cox, Deputy County Attorney Jodi Borgeson, and Deputy County Clerk Christine S. Hall.

Commissioner Drake led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for April 1, 2014, through May 6, 2014
- Consideration of Regular Commission Meeting Minutes of April 1, 2014, and Special Commission Meeting Minutes of April 3, 2014
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement:
Carole Kolashinski, A/N 382138; Thu Derouin, S/N 1-DELC-1-1; Jane Mruczek, S/N SG-PKGV-162; Karen Ferguson, S/N SG-1770-A; Roslyn Carlson, S/N W-WSR-2-1-179; John Debenham, S/N SG-WSD-2, Leon Guymon, S/N LV-109-A-1-A; Daniel Oliver, S/N SG-SGC-11; Sherry Olsen, S/N W-HMHE-36
- Consideration of Applications for Settlement or Deferral of Property Taxes:
Sebastian Glasgow, S/N T-69-A-2-B; Kolob Development Inc., KBR-7B-379 through 384-NS; William & Gloria Bertram, S/N SG-231-4-9; Carolyn Foster, S/N LV-8-A-2; Garth & Kelly Hansen, S/N SG-CLE-12; Karl & Debbie Paxman, S/N SG-BLH-9-77; Cottam Company, S/N SG-1746-A-2; Shelley Cox, S/N S-BD-1; Rodger & Rebecca Hurst, S/N SG-ME-3-23 and SG-BLLV-26; Kent & Monica Bowcutt, S/N L-2144-A-6; Anthony & Nancy Batty, S/N AV-1366-C-2-A; William Trude, S/N KW-2-HV; Denise Jones, S/N SG-RRMHE-2-40; Nanette Dean, S/N SC-SCH-M-25; Nancy Williams, S/N L-SRE-2-33; Riley & Barbara Stottern, S/N SG-WBD-3; Tony & Karen Stevens, S/N ZP-26; George Staheli, S/N W-CTVS-4 and W-CTVS-7; Sherman Lister, S/N H-3-1-33-3334; Dos Lagos, S/N H-4-1-36-2006; CNDB Inv LLC, S/N SG-6-2-23-43031

MOTION: Motion by Commissioner Drake to Adopt the Consent Agenda, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

Chairman Eardley recognized the attendance of several Boy Scouts from Troop 1847 in Santa Clara who were pursuing their Citizenship in the Community badge.

VOLUNTEER OF THE MONTH / CAROL HOLLOWELL

No presentations were made today.

PURCHASE REQUESTS: MARK BLANCH

Emergency Services, Tough Books	\$20,895.00
Emergency Services, new repeaters	11,410.00
Emergency Services, generators, duplexers, repeaters	40,000.00
Emergency Services, microwave, parts	13,059.30
Emergency Services, pager repeater site	20,233.30
Emergency Services, mobile radios & accessories	63,170.95

Mr. Blanch said that all purchase requests are being funded by grants through the Five County Association of Governments, of which Washington County is the administrator of the funds.

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PRESENTATION: MIKE HADLEY, DIVISION OF WILDLIFE RESOURCES

Mark Hadley of the Utah Division of Wildlife Resources (UDWR) explained that the UDWR intends to re-introduce the Bonneville cutthroat trout to its historic habitat in Pinto Creek, which requires the removal of the non-native rainbow trout with a piscicide called rotenone, building fish passage barriers, and introducing the cutthroat trout from nearby sources.

Commissioner Drake asked about the effect of this process on the New Castle Reservoir, and Mr. Hadley said that it won't have any effect.

**PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG),
SECOND HEARING**

Commissioner Eardley opened the second Public Hearing for the Community Development Block Grant (CDBG) Program. Commissioner Eardley stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2014 Community Development Block Grant Program. The County has amended its capital investment plan and decided to apply for funds on behalf of the Northwestern Special Service District for one hundred fifty thousand dollars (\$150,000.00) to construct a new fire station in Gunlock. The Commissioner introduced Kathy Tanasz from the Northwestern Special Service District. Chairman Eardley explained that the application was successful in the regional rating and ranking process. Chairman Eardley explained the project to those in attendance and then asked for any comments, questions, and concerns from the audience. The Chairman stated that copies of the capital investment plan are available if anyone would like a copy.

Washington County Internal Auditor Trevor Coombs said that the new fire station will be located next to the Community Center. Ms. Tanasz thanked the Commission for its sponsorship of this fire station project, which is greatly needed. County Administrator Dean Cox said that he and Deputy County Attorney Eric Clarke attended a meeting in Gunlock to discuss this project, and community support was overwhelming.

Commissioner Drake said that the Community Impact Board (CIB) was impressed by the presentation by Mr. and Mrs. Tanasz. Commissioner Gardner added that the CIB money comes from mineral lease money that goes to parts of the state from the federal government for royalties.

Having no one come forward, Chairman Eardley closed the public hearing at 4:22 p.m.

**CONSIDERATION OF ORDINANCE NO. 2014-1035-O, AN ORDINANCE
REZONING A CERTAIN PORTION OF WASHINGTON COUNTY FROM A-10
ZONE TO A-5 ZONE, HEREINAFTER FULLY DESCRIBED IN THIS
ORDINANCE**

Washington County Planning & Zoning Administrator Scott Messel pointed out corrections to be made in the title of the Ordinance: "A-20" should read "A-10," and "C-3" should read "A-5." The zones are correctly referenced in the body of the Ordinance.

The parcel in question is 8.5 acres near Veyo. The applicant wants to build a home on it but the property was not large enough because it was below the minimum lot-size requirement. A public hearing was held, and the Planning Commission determined that the appropriate zoning would be A-5 because that would allow for the home to be built.

MOTION: Motion by Commissioner Drake to Adopt Ordinance No. 2014-1035-O, An Ordinance Rezoning A Certain Portion Of Washington County From A-10 Zone To A-5 Zone, Hereinafter Fully Described In This Ordinance. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF ORDINANCE NO. 2014-1036-O, AN ORDINANCE AMENDING THE COUNTY FEE SCHEDULE ORDINANCE, TITLE 8, CHAPTER 10, OF THE WASHINGTON COUNTY CODE

Mr. Stephen Vincent of the County Attorney's Office said that the main changes in this amended ordinance are that fee schedules can be adopted by resolution of the County Commission, and that the fee schedules be posted on the County website under the individual department headings.

MOTION: Motion by Commissioner Gardner to Adopt Ordinance No. 2014-1036-O, An Ordinance Amending The County Fee Schedule Ordinance, Title 8, Chapter 10, Of The Washington County Code. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF ORDINANCE NO. 2014-1037-O, AN ORDINANCE AMENDING THE WASHINGTON COUNTY PUBLIC ASSEMBLIES LICENSE ORDINANCE AND RENAMING IT THE WASHINGTON COUNTY SPECIAL EVENTS ORDINANCE

Mr. Vincent said that the ordinance amendment relates more specifically to the types of endurance and racing events for which applicants seek permission from the County and changes the process whereby requests go before the County Planner and the Sheriff's Office rather than the Planning Commission.

MOTION: Motion by Commissioner Gardner to Adopt Ordinance No. 2014-1037-O, An Ordinance Amending The Washington County Public Assemblies License Ordinance and Renaming it the Washington County Special Events Ordinance. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1801, A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE UTAH DEPARTMENT OF HEALTH AND THE WASHINGTON COUNTY SHERIFF'S

**OFFICE FOR SOUTHERN UTAH'S COVERED HEALTH CARE PROVIDER
ACCESS TO A LIVE SCAN FINGERPRINT MACHINE**

Undersheriff Bart Bailey said that until recently, the Sheriff's Office was the only agency with a live scan machine. The machine is in Purgatory Correctional Facility and therefore unavailable to the public. All health-care and educational workers in the County are required to be fingerprinted, and the live-scan machine is both efficient and expensive. In order to facilitate the fingerprinting of health-care workers in the County, the South West Utah Public Health Department has offered the Sheriff's Office a live-scan machine on contract, at no initial cost but with the understanding that it will be shared with other municipalities. It will likely be located at the Justice Court.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2014-1801, a Resolution Approving A Memorandum Of Agreement Between The Utah Department Of Health And The Washington County Sheriff's Office For Southern Utah's Covered Health Care Provider Access To A Live Scan Fingerprint Machine. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1802, A RESOLUTION RE-
APPOINTING A BOARD MEMBER TO THE FIVE COUNTY AGING &
NUTRITION SERVICES ADVISORY BOARD**

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1802, a Resolution Appointing a Board Member to the Five County Aging & Nutrition Services Advisory Board. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1803, A RESOLUTION
APPROVING AMENDMENT TO THE PERIMETER SECURITY AND BAILIFF
CONTRACT BETWEEN THE FIFTH DISTRICT COURT OF THE STATE OF
UTAH AND WASHINGTON COUNTY**

Undersheriff Bailey said that this contract has been in place for many years, but certain terms and conditions have been amended slightly and the contract amount has increased to comply with State law.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2014-1803, a Resolution Approving Amendment To The Perimeter Security And Bailiff Contract Between The Fifth District Court Of The State Of Utah And Washington County. Motion seconded by Commissioner

Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1804, A RESOLUTION APPROVING A JUVENILE PUBLIC DEFENDER AGREEMENT BETWEEN ROBERT J. LATHAM AND WASHINGTON COUNTY

Administrator Dean Cox said that Travis Marker, one of the County's public defenders is leaving the state and submitted his resignation, effective April 30, 2014. Last year an exhaustive interview process was conducted, and he recommends Robert J. Latham, one of the best applicants, to fill the remainder of Mr. Marker's contract.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2014-1804, a Resolution Approving A Juvenile Public Defender Agreement Between Robert J. Latham And Washington County, for the period May 1, 2014, through December 31, 2014. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1805, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE U. S. BUREAU OF LAND MANAGEMENT, ST. GEORGE FIELD OFFICE, AND WASHINGTON COUNTY REGARDING A PROPOSED EXCHANGE OF REAL PROPERTY IN THE RED CLIFFS DESERT RESERVE FOR OTHER REAL PROPERTY IN THE STATE OF UTAH

MOTION: Motion by Commissioner Gardner to Table Resolution No. R-2014-1805, A Resolution Approving A Memorandum Of Understanding Between The U. S. Bureau Of Land Management, St. George Field Office, And Washington County Regarding A Proposed Exchange Of Real Property In The Red Cliffs Desert Reserve For Other Real Property In The State Of Utah. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1806, A RESOLUTION APPROVING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN WASHINGTON COUNTY AND NEW DAWN TECHNOLOGIES FOR SOFTWARE AND SUPPORT ALLOWING THE COUNTY ATTORNEY'S OFFICE TO FILE DOCUMENTS ELECTRONICALLY WITH UTAH STATE COURTS

Deputy County Attorney Jodi Borgeson said that last year the State of Utah began requiring courts to file documents electronically. In order to meet that requirement, the County Attorney's Office and the Justice Court need this new software and technology.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2014-1806, A Resolution Approving The Execution Of A Service Agreement Between Washington County And New Dawn Technologies For Software And Support Allowing The County Attorney's Office To File Documents Electronically With Utah State Courts. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1807, A RESOLUTION APPROVING A CONFIDENTIALITY AGREEMENT BETWEEN WASHINGTON COUNTY (ON BEHALF OF THE COUNCIL ON AGING) AND INFORMATION AGE TECHNOLOGIES, INC.

Ms. Borgeson said that Information Age Technologies, Inc., has a service whereby patrons of the Senior Citizens Centers (Council on Aging) may scan electronic cards to sign up for services such as meals and other activities. This process will eliminate considerable staff time in inputting data and preparing federal reports of this data. A ninety-day trial period has been offered in which to determine the desirability of this new technology. The total cost is four thousand, five hundred dollars (\$4,500) the first year and then drops for succeeding years.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2014-1806, A Resolution Approving The Execution Of A Service Agreement Between Washington County And New Dawn Technologies For Software And Support Allowing The County Attorney's Office To File Documents Electronically With Utah State Courts. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF REVISION TO WASHINGTON COUNTY POLICY & PROCEDURES MANUAL, SECTION VI, EMPLOYMENT STATUS, A. BASIC EMPLOYMENT CLASSIFICATIONS

The purpose of this revision is to comply with certain provisions of the Affordable Health Care Act.

MOTION: Motion by Commissioner Drake to Approve the Revision(s) to the Washington County Policy and Procedures Manual, Section VI, Employment Status, A. Basic Employment Classifications, as

presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

Commissioner Drake said that on May 21 and 22, the Washington County Weed Management Agency (CWMA), along with the Forest Service, the BLM, and others, will be spraying in the New Harmony area to eradicate noxious weeds. He said the CWMA is looking for volunteers. The spraying will begin at 6:00 AM on May 21 and begin from the west side of the freeway, moving up through Kolob. It is a major undertaking, and people are encouraged to participate. Funding is through a state grant.

Commissioner Gardner said that Speaker Becky Lockhart hosted a recent event promoting the transfer of public lands back to the states. Legislators and County Commissioners from neighboring states were in attendance.

PUBLIC WORKS OR ROAD BUSINESS

Public Works Director Ron Whitehead reported on current road projects:

- The current Natural Resources Conservation Service (NRCS) project is on the Santa Clara River and is expected to be complete soon. The St. George site is finished. Additional projects are on hold due to fish-spawning and bird-nesting season, and the associated environmental impacts. If projects are not complete within a designated time period, extensions of funding will have to be requested.
- The dedication of the Pine Valley Footbridge across the Spillway at Pine Valley Reservoir that will connect the campground with the parking lot occurs Saturday. This has been a joint project between the Forest Service and local Eagle Scouts

COUNTY DEVELOPMENT AND PLANNING BUSINESS:

Review of Items from the April 8, 2014, Washington County Planning Commission / Scott Messel

Conditional Use for Special Events: Review of Special Event for "Rockwell Relay" from Moab to St. George Bluff Street Park to be held on June 14, 2014; Rockwell Relay Inc./Steve & Anita Stewart, Applicants.

Conditional Use for Public Utility: Review of Conditional Use to reroute utility power lines affected by the construction of the Southern Parkway and realignment of Washington Dam Road; the parcels are zoned A-20 (Agricultural 20 acre minimum lot size); Dixie Power/Russell Condie, Applicants.

Public Hearing/Zone Change Request: to Rezone Parcel 7177-G-NW from A-10 (Agricultural 10 acre minimum lot size) to RA-1 (Residential Agricultural 1 acre minimum lot size); the parcel is 8.5 acres of land located on Veyo Resort Road in Veyo; Alina Smith, Applicant.

Mr. Messel reported that all items were approved by the Planning Commission.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:42 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN